

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

THERESE RUSSELL

Plaintiff,

V.

**BABCOCK & WILCOX TECHNICAL
SERVICES PANTEX, LLC,**

Defendant.

CIVIL ACTION NO. 2:09-CV-194-J

**AGREED MOTION TO DISMISS THE CLAIMS OF
PLAINTIFF THERESE RUSSELL**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COME NOW Therese Russell (“Plaintiff”) and Babcock & Wilcox Technical Services Pantex, LLC (“Pantex”) (collectively the “Parties”), by and through their counsel of record, and file this Agreed Motion to Dismiss the Claims of Plaintiff Therese Russell. In support of this motion, the Parties state that all claims of Plaintiff against Defendant should be dismissed with prejudice for the reason that Plaintiff has decided that she no longer wishes to pursue her cause of action under the Fair Labor Standards Act.

WHEREFORE, the parties respectfully request that the Court grant this motion and enter the Parties' Agreed Order of Dismissal for the Claims of Plaintiff Therese Russell.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document and that a true and correct copy was served on the parties listed below through the electronic case filing system if the Notice of Electronic Filing indicated that the parties received it or otherwise by mailing a copy by Certified Mail, Return Receipt Requested, to the parties this 16th day of April, 2010.

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